

AMENDED IN ASSEMBLY AUGUST 21, 2006

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN ASSEMBLY JUNE 29, 2006

AMENDED IN SENATE MAY 3, 2006

AMENDED IN SENATE APRIL 17, 2006

## **SENATE BILL**

**No. 1614**

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### **Introduced by Senator Simitian**

February 24, 2006

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An act to amend Sections 10600, 10601, and 60900 of, and to add Sections 10601.5 and 44230.5 to, the Education Code, relating to teachers.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1614, as amended, Simitian. Teachers: information system: identification number.

(1) Existing law recognizes the development by the State Department of Education of the California Education Information System (CEIS) for the purpose of establishing and maintaining a basic, integrated, statewide information system for education.

This bill would require the department, in collaboration with the Commission on Teacher Credentialing, to contract for the development of a teacher data system to be known as the California Longitudinal Teacher Integrated Data System. The bill would declare that the CEIS includes the new teacher data system and the California Longitudinal Pupil Achievement Data System, as specified. The bill would provide that the purpose of the teacher data system is to serve as the central state repository of information regarding the teacher

workforce in the state for purposes of developing and reviewing state policy, identifying workforce trends, and identifying future needs regarding that workforce. The bill would prohibit the system from being used for purposes of employment decisions of individual teachers and from including certain personal information of individual teachers, as specified. The bill would require the Superintendent of Public Instruction to convene a working group, including, but not limited to, representatives from the Commission on Teacher Credentialing, the Department of Finance, the Secretary for Education, the Legislative Analyst's Office, the Employment Development Department, and representatives of local educational agencies, postsecondary *educational* institutions, researchers, teachers, administrators, and parents, to provide advice and guidance on the development of the teacher data system.

(2) Existing law requires the commission to maintain for public record certain specified information regarding the credentials, certificates, permits, or other documents that it issues and authorizes the commission to disclose that information. Existing law, notwithstanding any other provision of law, prohibits the disclosure by the commission of information other than the information maintained for public record absent an order from a court of competent jurisdiction.

This bill would require the commission to establish a nonpersonally identifiable teacher identification number for each teacher to whom it issues a credential, certificate, permit, or other document authorizing that individual to teach in the public schools.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 10600 of the Education Code is  
2 amended to read:  
3 10600. (a) It is the intent of the Legislature in enacting this  
4 chapter to make complete, current, and reliable information  
5 relating to education available to the Legislature and to all public  
6 educational agencies in California at maximum efficiency and  
7 economy through statewide compatibility in the development and  
8 application of information systems and electronic

1 data-processing techniques insofar as they relate to data required  
2 in reports to the department.

3 (b) It is the further intent of the Legislature to recognize the  
4 importance, and enhance the stature, of the education profession  
5 throughout the state.

6 (c) The Legislature finds and declares all of the following:

7 (1) According to recent studies, there is a shortage of qualified  
8 teachers, particularly in the areas of special education, English  
9 language acquisition and development, math, and science,  
10 throughout California.

11 (2) In order for California to remain competitive in the global  
12 economy, the Legislature recognizes the necessity of continuing  
13 to support the recruitment of individuals to the teaching  
14 profession and effective teacher preparation and professional  
15 development programs. The Legislature also recognizes the  
16 importance of quality instruction to the academic achievement of  
17 pupils and of providing each pupil in the public schools with  
18 instruction by a highly qualified teacher.

19 (3) State and local policymakers, local educational agencies,  
20 teachers, parents, and pupils all need reliable information  
21 regarding participation in the teacher workforce, teacher  
22 movement between schools and school districts, the departure of  
23 teachers from the workforce before retirement, the  
24 appropriateness of teacher assignments, and the effectiveness of  
25 teacher—~~credential~~ *credentialing*, preparation, induction,  
26 recruitment, ~~support, and professional development programs~~  
27 *and support*, and would benefit from the availability of more  
28 extensive information regarding the teaching profession.

29 (4) Data regarding the teacher workforce is currently collected  
30 and maintained by numerous state and local educational  
31 agencies. In order for the Legislature to fulfill its intent in  
32 enacting this chapter, it is necessary to integrate the data  
33 collected by those existing data systems to provide an  
34 understanding of the teacher workforce in the state and the  
35 effectiveness of teacher *preparation* programs. For purposes of  
36 integrating data regarding the teacher workforce in the state, Item  
37 6110-001-0890 of Section 2.00 of the Budget Act of 2005  
38 (Chapter 38 of the Statutes of 2005) appropriated funds for the  
39 department to contract for a teacher data system feasibility study  
40 to determine the feasibility of converting existing data systems

1 into an integrated, comprehensive, ~~longitudinally-linked~~  
2 *longitudinally-linked* teacher information system that can yield  
3 high-quality program evaluations.

4 (d) It is the intent of the Legislature that the vital goals  
5 described in this section be accomplished through the  
6 establishment of a comprehensive state education data  
7 information system in the department that includes information  
8 regarding the teacher workforce.

9 SEC. 2. Section 10601 of the Education Code is amended to  
10 read:

11 10601. (a) There has been developed by the department the  
12 California Education Information System, hereinafter in this  
13 chapter called “the system.” The function of the system is to  
14 establish, conduct, and by continuous concern keep up to date a  
15 basic, integrated, statewide information system for education.

16 (b) The system includes all of the following:

17 (1) The California Longitudinal Pupil Achievement Data  
18 System pursuant to Chapter 10 (commencing with Section  
19 60900) of Part 33, which maintains pupil data regarding  
20 demographic, program participation, enrollment, and statewide  
21 assessments, in addition to data contained in the California Basic  
22 Educational Data System, including certificated staff information  
23 collected through the Professional Assignment Information Form  
24 prepared by the department.

25 (2) The California Longitudinal Teacher Integrated Data  
26 Education System developed pursuant to Section 10601.5, which  
27 enables analysis of workforce trends, evaluation of teacher  
28 preparation ~~and professional development~~ programs, and the  
29 monitoring of teacher assignments. The California Longitudinal  
30 Teacher Integrated Data Education System shall maintain data  
31 regarding the certificated workforce that is not maintained in the  
32 California Longitudinal Pupil Achievement Data System and  
33 consolidate data that is collected by state agencies and local  
34 educational agencies.

35 (c) Data elements and codes included in the system shall be  
36 maintained in compliance with all of the following:

37 (1) Chapter 6.5 (commencing with Section 49060) of Part 27  
38 and any regulations adopted pursuant thereto.

39 (2) Section 49602.

40 (3) Section 56347.

1 (4) The Information Practices Act of 1977 (Chapter 1  
2 (commencing with Section 1798) of Title 1.8 of Part 4 of  
3 Division 3 of the Civil Code).

4 (5) The federal Family Educational Rights and Privacy Act of  
5 1974 (20 U.S.C. Sec. 1232g et seq.) and any federal regulations  
6 adopted pursuant thereto.

7 (d) The department shall adopt regulations to implement this  
8 section.

9 SEC. 3. Section 10601.5 is added to the Education Code, to  
10 read:

11 10601.5. (a) The department, in collaboration with the  
12 Commission on Teacher Credentialing, shall contract for the  
13 development of a teacher data system to be known as the  
14 California Longitudinal Teacher Integrated Data Education  
15 System that is based on the results of the teacher data system  
16 feasibility study conducted pursuant to Item 6110-001-0890 of  
17 Section 2.00 of the Budget Act of 2005 (Chapter 38 of the  
18 Statutes of 2005). The purpose of the system is to streamline  
19 processes, improve the efficiency of data collection by the  
20 department, the Commission on Teacher Credentialing, and the  
21 Employment Development Department, and improve the quality  
22 of data collected from local educational agencies *and teacher*  
23 *preparation programs*. The system shall be developed and  
24 implemented in accordance with all state rules and regulations  
25 governing information technology projects.

26 (b) The system shall serve as the central state repository of  
27 information regarding the teacher workforce in the state for  
28 purposes of developing and reviewing state policy, identifying  
29 workforce trends, and identifying future needs regarding the  
30 teaching workforce. It shall also serve to provide high-quality  
31 program evaluations, including evaluation of the effectiveness of  
32 teacher preparation, induction, and *to help improve* professional  
33 development programs. Additionally, it shall promote the  
34 efficient monitoring of teacher assignments as required by state  
35 and federal law.

36 (c) Data in the system may not be used, either solely or in  
37 conjunction with data from the California Longitudinal Pupil  
38 Achievement Data System, for purposes of pay, promotion,  
39 sanction, or personnel evaluation of an individual teacher or  
40 groups of teachers, or of any other employment decisions related

1 to individual teachers. The system may not include the names,  
2 social security numbers, home addresses, telephone numbers, or  
3 e-mail addresses of individual teachers.

4 (d) The system shall be used to accomplish all of the following  
5 goals:

6 (1) Provide a means to evaluate all of the following:

7 ~~(A) The effectiveness of investments in professional~~  
8 ~~development for teachers.~~

9 ~~(B)~~

10 (A) The effectiveness of teacher preparation programs,  
11 including, but not limited to, traditional fifth-year programs,  
12 university internship programs, and district-sponsored internship  
13 programs.

14 ~~(C)~~

15 (B) Teacher workforce issues, including mobility, retention,  
16 and attrition.

17 (2) Streamline and improve the effectiveness and timeliness of  
18 assignment monitoring as required by the federal No Child Left  
19 Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and by state  
20 law.

21 (3) Enable local educational agencies to monitor teacher  
22 assignments on demand.

23 (e) For purposes of implementing this chapter, including the  
24 legislative intent expressed in subdivision (b) of Section 10600,  
25 the system shall include all of the following information:

26 (1) Age profiles of teachers in the workforce.

27 (2) Projections on the number of retirees in the education  
28 system over the next 10 years throughout the state.

29 (3) Identification of subject matter fields that have the severest  
30 shortage of teachers.

31 (4) Geographic distribution of teachers by credential type.

32 (5) Present patterns of in-service education for teachers.

33 (f) The Commission on Teacher Credentialing *and accredited*  
34 *teacher preparation programs* shall participate in the system by  
35 providing available data regarding enrollment in credential  
36 programs, credentials issued in each specialization, and  
37 certificated persons in each specialty who are not employed in  
38 education, and by collaborating with the department in the design  
39 and preparation of periodic reports of teacher supply and demand  
40 in each specialty and in each geographic region of the state.

1 (g) The system shall do all of the following:

2 (1) Utilize and maximize use of existing teacher databases.

3 (2) Maintain longitudinally-linked data without including the  
4 names of teachers.

5 (3) Comply with all state and federal confidentiality and  
6 privacy laws.

7 (h) The Superintendent shall convene a working group to  
8 provide advice and guidance on the development and  
9 implementation of the system. The group shall include, but is not  
10 limited to, representatives from the Commission on Teacher  
11 Credentialing, the Department of Finance, the Secretary for  
12 Education, the Legislative Analyst's Office, the Employment  
13 Development Department, and representatives of local  
14 educational agencies, postsecondary *educational* institutions,  
15 researchers, teachers, administrators, and parents.

16 (i) The operation of the system is contingent upon the  
17 appropriation of funds for purposes of this section in the annual  
18 Budget Act or other legislation.

19 SEC. 4. Section 44230.5 is added to the Education Code, to  
20 read:

21 44230.5. The commission shall establish a nonpersonally  
22 identifiable teacher identification number for each teacher to  
23 whom it issues a credential, certificate, permit, or other document  
24 authorizing that individual to teach in the public schools.

25 SEC. 5. Section 60900 of the Education Code is amended to  
26 read:

27 60900. (a) The department shall contract for the development  
28 of proposals which will provide for the retention and analysis of  
29 longitudinal pupil achievement data on the tests administered  
30 pursuant to Chapter 5 (commencing with Section 60600),  
31 Chapter 7 (commencing with Section 60810), and Chapter 9  
32 (commencing with Section 60850). The longitudinal data shall be  
33 known as the California Longitudinal Pupil Achievement Data  
34 System.

35 (b) The proposals developed pursuant to subdivision (a) shall  
36 evaluate and determine whether it would be most effective, from  
37 both a fiscal and a technological perspective, for the state to own  
38 the system. The proposals shall additionally evaluate and  
39 determine the most effective means of housing the California  
40 Longitudinal Pupil Achievement Data System.

1 (c) The California Longitudinal Pupil Achievement Data  
2 System shall be developed and implemented in accordance with  
3 all state rules and regulations governing information technology  
4 projects.

5 (d) The system or systems developed pursuant to this section  
6 shall be used to accomplish all of the following goals:

7 (1) To provide school districts and the department access to  
8 data necessary to comply with federal reporting requirements  
9 delineated in the federal No Child Left Behind Act of 2001 (20  
10 U.S.C. Sec. 6301 et seq.).

11 (2) To provide a better means of evaluating educational  
12 progress and investments over time.

13 (3) To provide local educational agencies information that can  
14 be used to improve pupil achievement.

15 (4) To provide an efficient, flexible, and secure means of  
16 maintaining longitudinal statewide pupil level data.

17 (e) In order to comply with federal law as delineated in the  
18 federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301  
19 et seq.), the local educational agency shall retain individual pupil  
20 records for each test taker, including all of the following:

21 (1) All demographic data collected from the STAR test, high  
22 school exit examination, and English language development test.

23 (2) Pupil achievement data from assessments administered  
24 pursuant to the STAR, high school exit examination, and English  
25 language development testing programs. To the extent feasible,  
26 data should include subscore data within each content area.

27 (3) A unique pupil identification number to be identical to the  
28 pupil identifier developed pursuant to the California School  
29 Information Services, which shall be retained by each local  
30 educational agency and used to ensure the accuracy of  
31 information on the header sheets of the STAR tests, high school  
32 exit examination, and the English language development test.

33 (4) All data necessary to compile reports required by the  
34 federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301  
35 et seq.), including, but not limited to, dropout and graduation  
36 rates.

37 (5) Other data elements deemed necessary by the  
38 Superintendent of Public Instruction, with approval of the state  
39 board, to comply with the federal reporting requirements  
40 delineated in the federal No Child Left Behind Act of 2001 (20

1 U.S.C. Sec. 6301 et seq.), after review and comment by the  
2 advisory board convened pursuant to subdivision (h).

3 (f) The California Longitudinal Pupil Achievement Data  
4 System shall have all of the following characteristics:

5 (1) The ability to sort by demographic element collected from  
6 the STAR tests, high school exit examination, and English  
7 language development test.

8 (2) The capability to be expanded to include pupil  
9 achievement data from multiple years.

10 (3) The capability to monitor pupil achievement on the STAR  
11 tests, high school exit examination, and English language  
12 development test from year to year and school to school.

13 (4) The capacity to provide data to the state and local  
14 educational agencies upon their request.

15 (g) Data elements and codes included in the system shall  
16 comply with Sections 49061 to 49079, inclusive, and Sections  
17 49602 and 56347, with Sections 430 to 438, inclusive, of Title 5  
18 of the California Code of Regulations, with the Information  
19 Practices Act of 1977 (Chapter 1 (commencing with Section  
20 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and  
21 with the federal Family Education Rights and Privacy Act statute  
22 (20 U.S.C. Secs. 1232g and 1232h) and related federal  
23 regulations.

24 (h) The department shall convene an advisory board consisting  
25 of representatives from the state board, the Secretary for  
26 Education, the Department of Finance, the State Privacy  
27 Ombudsman, the Legislative Analyst's Office, representatives of  
28 parent groups, school districts, and local educational agencies,  
29 and education researchers to establish privacy and access  
30 protocols, provide general guidance, and make recommendations  
31 relative to data elements. The department is encouraged to seek  
32 representation broadly reflective of the general public of  
33 California.

34 (i) Subject to funding being provided in the annual Budget  
35 Act, the department shall contract with a consultant for  
36 independent project oversight. The Director of Finance shall  
37 review the request for proposals for the contract. The consultant  
38 hired to conduct the independent project oversight shall twice  
39 annually submit a written report to the Superintendent of Public  
40 Instruction, the state board, the advisory board, the Director of

1 Finance, the Legislative Analyst, and the appropriate policy and  
2 fiscal committees of the Legislature. The report shall include an  
3 evaluation of the extent to which the California Longitudinal  
4 Pupil Achievement Data System is meeting the goals described  
5 in subdivision (b) and recommendations to improve the data  
6 system in ensuring the privacy of individual pupil information  
7 and providing the data needed by the state and school districts.

8 (j) This section shall be implemented using federal funds  
9 received pursuant to the federal No Child Left Behind Act of  
10 2001 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for  
11 purposes of this section in Item 6110-113-0890 of Section 2.00  
12 of the Budget Act of 2002 (Chapter 379 of the Statutes of 2002).  
13 The release of these funds is contingent on approval of an  
14 expenditure plan by the Department of Finance.

15 (k) For purposes of this chapter, a local educational agency  
16 shall include a county office of education, a school district, or  
17 charter school.